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Patent

Customer No.: 26308

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Boucher et al

Attorney Docket No.: 1759.15103-CIP 2 DIV

Serial No.: 10/784,392

Examiner: Andrew Yang

Filed: February 23, 2004

Group Art Unit: 3733

Title: Expandable Structures for Deployment in Interior Body Regions

**PETITION FOR AN UNINTENTIONALLY DELAYED BENEFIT  
CLAIM PURSUANT TO 37 C.F.R. §1.78(a)(3)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this Petition for an Unintentionally Delayed Benefit Claim Pursuant to 37 C.F.R. §1.78(a)(3).

Applicant requests to amend the benefit claim under 35 U.S.C. §120 of the above-noted application as follows in marked-up form:

**Related Applications**

This application is a divisional of copending United States Patent Application Serial No. 09/595,963, filed June 19, 2000 (now U. S. Patent 6,719,773), which is a continuation-in-part of United States Patent Application Serial No. 09/420,529, filed October 19, 1999, and entitled "Expandable Preformed Structures for Deployment in Interior Body Regions," now U.S. Patent No. 6,607,544, and which is also a continuation-in-part of United States Patent Application Serial No. 09/088,459, filed June 1, 1998, and entitled "Expandable Preformed Structures for Deployment in Interior Body Regions, now abandoned." This application is also a

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Amendment A

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continuation-in-part of United States Patent Application Serial No. 09/827,260, filed April 5, 2001, and entitled Methods for Treating Fractured and/or Diseased Bone (now U.S. Patent 6,726,691).


Applicant states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date the claim was filed was unintentional.

Applicant hereby petitions for acceptance of the unintentionally delayed benefit claim.

The requisite fee under 37 C.F.R. §1.17(t) is submitted herewith.

If any additional fee is required, charge Account No. 06-2360.

Respectfully Submitted,

By   
Daniel D. Ryan, Reg. No. 29,243

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### CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By: Judith Dunaway  
Judith Dunaway

Dated: 18 July 2007